

## **AMENDMENTS TO THE CLAIMS:**

Please amend the claims as follows:

1. (Currently Amended) A method for facilitating a transaction for purchasable content over an electronic network, ~~the purchasable content including downloadable digital data and physical storage media containing at least one of digital data and analog data,~~ the method comprising:

maintaining a first presence on the electronic network to which a consumer may connect;

transmitting a first page from the first presence to the consumer over the electronic network, the first page including information concerning the purchasable content, wherein, the purchasable content comprises downloadable digital data and physical storage media containing at least one of digital data and analog data;

receiving a command from the consumer over the electronic network indicating that the consumer wishes the transaction for certain of the purchasable content; ~~and~~

determining whether the transaction involves purchase of physical storage media;  
and

if the transaction includes purchase of physical storage media, then completing the transaction for the physical storage media, but not the downloadable digital data, over the electronic network by way of the first presence.

2. (Original) The method of claim 1, wherein the downloadable digital data, digital data, and analog data include at least one of audio data, video data, and text data.

3. (Original) The method of claim 2, wherein the physical storage media include at least one of optically readable media, magnetically readable media, and mechanically readable media.

4. (Currently Amended) The method of claim 1, ~~further comprising determining whether the command indicates that the consumer wishes the transaction for downloadable digital data or physical storage media prior to completing the transaction for physical storage media~~ wherein the command from the consumer indicating that the consumer wishes the transaction causes placement of the certain of the purchasable content into a virtual shopping cart.

5. (Original) The method of claim 1, further comprising transmitting a second page from the first presence to the consumer over the electronic network, the second page including a listing of the purchasable content that the consumer identifies for the transaction.

6. (Original) The method of claim 5, wherein the listing of the purchasable content is visually divided according to the purchasable content of the downloadable digital data type and the purchasable content of the physical storage media type.

7. (Original) The method of claim 6, wherein the listing of the purchasable content includes at least one of: (i) respective costs of each item of downloadable digital data and each item of physical storage media; and (ii) respective sub-totals of aggregate cost to purchase the downloadable digital data and the physical storage media.

8. (Original) The method of claim 1, further comprising calculating sales tax for the purchasable content of the physical storage media type.

9. (Original) The method of claim 1, further comprising transmitting a second page from the first presence to the consumer over the electronic network, the second page including the input fields for receiving remittance information from the consumer for paying for the purchasable content that the consumer identifies for the transaction.

10. (Currently Amended) A system for facilitating a transaction for purchasable content over an electronic network, ~~the purchasable content including downloadable digital data and physical storage media containing at least one of digital data and analog data,~~ comprising;

means for maintaining a first presence on the electronic network to which a consumer may connect;

means for transmitting a first page from the first presence to the consumer over the electronic network, the first page including information concerning the purchasable content, wherein, the purchasable content comprises downloadable digital data and physical storage media containing at least one of digital data and analog data;

means for receiving a command from the consumer over the electronic network indicating that the consumer wishes the transaction for certain of the purchasable content; and

means for determining whether the transaction involves purchase of physical storage media; and

means for completing the transaction for the physical storage media, but not the downloadable digital data, over the electronic network by way of the first presence if the transaction includes purchase of physical storage media.

11. (Original) The system of claim 10, wherein the downloadable digital data, digital data, and analog data include at least one of audio data, video data, and text data.

12. (Original) The system of claim 11, wherein the physical storage media include at least one of optically readable media, magnetically readable media, and mechanically readable media.

13. (Currently Amended) The system of claim 11, ~~further comprising means for determining whether the command indicates that the consumer wishes the transaction for downloadable digital data or physical storage media prior to completing the transaction for physical storage media~~ further comprising means, responsive to the command from the consumer indicating that the consumer wishes the transaction, for placing the certain of the purchasable content into a virtual shopping cart.

14. (Original) The system of claim 11, further comprising transmitting a second page from the first presence to the consumer over the electronic network, the second page including a listing of the purchasable content that the consumer identifies for the transaction.

15. (Original) The system of claim 14, wherein the listing of the purchasable content is visually divided according to the purchasable content of the downloadable digital data type and the purchasable content of the physical storage media type.

16. (Original) The system of claim 15, wherein the listing of the purchasable content includes at least one of: (i) respective costs of each item of downloadable digital data and each item of physical storage media; and (ii) respective sub-totals of aggregate cost to purchase the downloadable digital data and the physical storage media.

17. (Original) The system of claim 10, further comprising calculating sales tax for the purchasable content of the physical storage media type.

18. (Original) The system of claim 10, further comprising means for transmitting a second page from the first presence to the consumer over the electronic network, the second page including input fields for receiving remittance information from the consumer for paying for the purchasable content that the consumer identifies for the transaction.

19. (Currently Amended) An electronic storage medium for storing instructions which, when executed by a programmable controller, carry out a method ~~method~~ for facilitating a transaction for purchasable content over an electronic network, ~~the purchasable content including downloadable digital data and physical storage media containing at least one of digital data and analog data,~~ comprising:

maintaining a first presence on the electronic network to which a consumer may connect;

transmitting a first page from the first presence to the consumer over the electronic network, the first page including information concerning the purchasable content, wherein, the purchasable content comprises both downloadable digital data and physical storage media containing at least one of digital data and analog data;

receiving a command from the consumer over the electronic network indicating that the consumer wishes the transaction for certain of the purchasable content; ~~and~~

determining whether the transaction involves purchase of physical storage media;  
and

if the transaction includes purchase of physical storage media, then completing the transaction for the physical storage media, but not the downloadable digital data, over the electronic network by way of the first presence.

20. (Original) The electronic storage medium of claim 19, wherein the downloadable digital data, digital data, and analog data include at least one of audio data, video data, and text data.

21. (Original) The electronic storage medium of claim 20, wherein the physical storage media include at least one of optically readable media, magnetically readable media, and mechanically readable media.

22. (Currently Amended) The electronic storage medium of claim 19, ~~further comprising determining whether the command indicates that the consumer wishes the transaction for~~

~~downloadable digital data or physical storage media prior to completing the transaction for physical storage media~~ wherein the command from the consumer indicating that the consumer wishes the transaction causes placement of the certain of the purchasable content into a virtual shopping cart.

23. (Original) The electronic storage medium of claim 19, further comprising transmitting a second page from the first presence to the consumer over the electronic network, the second page including a listing of the purchasable content that the consumer identifies for the transaction.

24. (Original) The electronic storage medium of claim 23, wherein the listing of the purchasable content is visually divided according to the purchasable content of the downloadable digital data type and the purchasable content of the physical storage media type.

25. (Original) The electronic storage medium of claim 24, wherein the listing of the purchasable content includes at least one of: (i) respective costs of each item of downloadable digital data and each item of physical storage media; and (ii) respective sub-totals of aggregate cost to purchase the downloadable digital data and the physical storage media.

26. (Original) The electronic storage medium of claim 19, further comprising calculating sales tax for the purchasable content of physical storage media type.

27. (Original) The electronic storage medium of claim 19, further comprising transmitting a second page from the first presence to the consumer over the electronic network, the second page including input fields for receiving remittance information from the consumer for paying for the purchasable content that the consumer identifies for the transaction.

28. (New) The method according to claim 1, further comprising paying a commission from the second presence to the first presence if the transaction involves purchase of downloadable digital content.

29. (New) The method according to claim 10, further comprising paying a commission from the second presence to the first presence if the transaction involves purchase of downloadable digital content.

30. (New) The method according to claim 19, further comprising paying a commission from the second presence to the first presence if the transaction involves purchase of downloadable digital content.